



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1313/1
RCT:sac:jm

DOA:.....Stinebrink, BB0244 - Fees for federal air permit sources

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

AIR QUALITY

The federal government has delegated to DNR the authority to administer the federal Clean Air Act in this state. The Clean Air Act requires operators of certain stationary sources of air pollution, such as large factories, to have operation permits (federal operation permits). State law requires operators of additional stationary sources of air pollution to have operation permits (state operation permits). Generally, current law requires an operator who has a federal operation permit to pay an annual fee of \$35.71 per ton of certain pollutants emitted in the previous year, subject to a cap.

This bill increases the amount of the annual fee imposed on operators who have federal operation permits to \$46.71 per ton in 2014 and \$59.81 per ton in 2015. After 2015, the fee per ton is increased by 4 percent annually.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 285.69 (2) (a) 1. of the statutes is repealed.

SECTION 2. 285.69 (2) (a) 2. of the statutes is repealed.

SECTION 3. 285.69 (2) (a) 3. of the statutes is repealed.

SECTION 4. 285.69 (2) (a) 4. of the statutes is repealed.

SECTION 5. 285.69 (2) (a) 5. of the statutes is amended to read:

285.69 (2) (a) 5. That fees are not based on emissions by an air contaminant source in excess of 5,000 tons per year of each regulated pollutant, ~~except that, subject to par. (b), this limitation does not apply to a major utility, as defined in s. 285.41 (1) (f), that owns or operates a phase I affected unit as listed in Table A of [42 USC 7651e](#).~~

SECTION 6. 285.69 (2) (a) 6. of the statutes is repealed.

SECTION 7. 285.69 (2) (a) 7. of the statutes is repealed.

SECTION 8. 285.69 (2) (a) 9. of the statutes is repealed.

SECTION 9. 285.69 (2) (a) 10. of the statutes is repealed.

SECTION 10. 285.69 (2) (a) 11. of the statutes is repealed.

SECTION 11. 285.69 (2) (a) 12. of the statutes is created to read:

285.69 (2) (a) 12. That the fee billed in 2013 equals \$37.51 per ton of emissions specified under subd. 8.

SECTION 12. 285.69 (2) (a) 13. of the statutes is created to read:

285.69 (2) (a) 13. That the fee billed in 2014 equals \$46.71 per ton of emissions specified under subd. 8.

SECTION 13. 285.69 (2) (a) 14. of the statutes is created to read:

285.69 (2) (a) 14. That the fee billed in 2015 equals \$59.81 per ton of emissions specified under subd. 8.

SECTION 14. 285.69 (2) (a) 15. of the statutes is created to read:

285.69 (2) (a) 15. That the amount of the fee per ton of emissions specified under subd. 8. billed in a year after 2015 is 104 percent of the amount of the fee per ton billed in the previous year.

SECTION 15. 285.69 (2) (b) of the statutes is repealed.

SECTION 16. 285.69 (2) (e) of the statutes is amended to read:

285.69 (2) (e) Beginning in 2001 and ending in 2012, the owner or operator of a stationary source for which an operation permit is required shall pay to the department an annual fee of 86 cents per ton of actual emissions in the preceding year of all air contaminants on which the fee under par. (a) is based.

(END)